

**THE
DOE RUN
COMPANY**

SUITE 300
1801 PARK 270 DRIVE
ST. LOUIS, MO 63146

mmontgomery@doerun.com

June 6, 2013

Steven L. Sanders, Senior Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 7
11201 Renner Boulevard
Lenexa, KS 66219

SENT VIA ELECTRONIC MAIL

Dear Mr. Sanders,

As we have discussed, The Doe Run Company ("Doe Run") Herculaneum Lead Smelter ("Smelter") was shut down for an extended period of time during April and May 2013 due to unforeseen circumstances. Additional details regarding the circumstances that led to more than sixteen days of down time are provided below. Doe Run utilized the time the facility was not operating to perform those maintenance activities that required down time to complete. These maintenance activities were originally scheduled to be completed during an extended maintenance shutdown in July. Doe Run still anticipates performing some regularly scheduled maintenance in July that may result in minimal down time for all or part of the Smelter. At this time, however, there is little to no maintenance remaining that would require any extended shutdown of all or part of the Smelter during July.

On April 30, 2013, the Smelter was shut down and remained down for 6.7 continuous days due to full acid storage tanks. During the first 6 months of fiscal year 2013 (November-April), significantly cooler than expected ambient temperatures and improved performance of the sulfuric acid plant resulted in production of 2,484 tons more sulfuric acid than planned. Concurrently, the offsite shipments of sulfuric acid were 3,516 tons below plan due to among other items, the slow return of the railcar fleet and a weak market. These two conditions combined to result in approximately 6,000 additional tons of sulfuric acid on site which filled all available sulfuric acid storage capacity. Once the storage capacity was exhausted, the Smelter was shut down and remained down until enough railcars could be returned and loaded to bring the acid storage tank level down to the point that adequate storage capacity was available.

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After a brief period of operation, the Smelter again went down on May 16, 2013 as the result of a transformer failure. The failure of the transformer and its associated electronic controls caused a loss of power to the wet electrostatic precipitator within the gas cleaning section of the acid plant, resulting in a shutdown of the entire Smelter. The wet electrostatic precipitator is a Swedish design and replacement parts are no longer readily available. The transformer had to be sent to a repair shop in Florida for testing and rebuilding. Although the repair was initially estimated to take longer, the repair was expedited and the smelter was able to be restarted on May 25, 2013, approximately 9.7 days later.

As contemplated by Paragraph 20.e, added pursuant to the First Amendment to the Multi-Media Consent Decree, and our earlier discussions, Doe Run requests that it not be required to have a "scheduled maintenance shutdown" in July because the planned maintenance activities were performed during the above described extended period of shutdown that was required due to the above-described unforeseen circumstances. It should be noted that, Doe Run will continue to complete, in a timely manner, any maintenance activities that are necessary to the continued operation of the Smelter which will likely include some activities during July. Further, Doe Run acknowledges that it is still bound by all other terms of the Multi-Media Consent Decree as amended, including but not limited to the refined lead production and SO₂ caps.

At your earliest convenience, please confirm that an extended shutdown is not required in July under these circumstances in order that Doe Run can adjust its schedules. Thank you in advance for your prompt attention to this matter.

Regards,


Michael Montgomery

Senior Attorney

The Doe Run Company